

*JRW***AMENDMENT TRANSMITTAL LETTER**Docket No.
SPINE 3.0-446 CIP III CONTApplication No.
10/648,464-Conf. #8288Filing Date
August 25, 2003Examiner
J. G. BlancoArt Unit
3738

Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico

Invention: INTERVERTEBRAL SPACER DEVICE HAVING A SLOTTED PARTIAL CIRCULAR DOMED ARCH STRIP SPRING

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	11	- 20 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					

 Large Entity Small Entity No additional fee is required for this amendment. Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed. A check in the amount of \$ _____ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Dated: March 21, 2007

Michael J. Doherty

Attorney/Agent Reg. No.: 40,592

LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6337

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 21, 2007

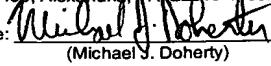
Signature: (Michael J. Doherty)



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 21, 2007

Signature:


(Michael J. Doherty)

Docket No.: SPINE 3.0-446 CIP III CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :
Ralph et al. :

Application No.: 10/648,464 : Group Art Unit: 3738

Filed: August 25, 2003 : Examiner: J. G. Blanco

For: INTERVERTEBRAL SPACER DEVICE :
HAVING A SLOTTED PARTIAL :
CIRCULAR DOMED ARCH STRIP SPRING :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed September 22, 2006, Applicants submit the following amendments and remarks.